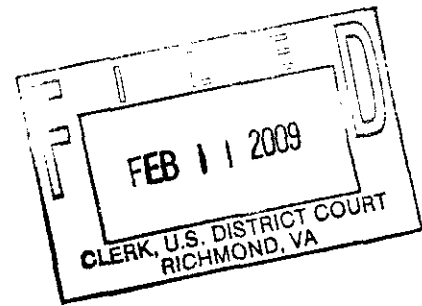


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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA**

In re:	)	
	)	
Florida Power and Light Company, et al.	)	
	)	
v.	)	Case No. 3:08cv846
	)	(Appeal from Bankruptcy Court)
Circuit City Stores, Inc. et al.	)	

**STIPULATION OF DISMISSAL**

WHEREAS, on November 24, 2008, Appellants Florida Power & Light Company, Potomac Electric Power Company ("Pepco"), Delmarva Power & Light Company ("Delmarva"), Atlantic City Electric Company, Central Maine Power Company, and Alabama Power Company ("APCO") (hereinafter collectively the "Appellant Utilities") filed a notice of appeal of the Order Under Bankruptcy Code Sections 105, 363 and 366 and Bankruptcy Rule 6003 (Docket No. 117); and

WHEREAS, the issues on appeal have been resolved by agreements between each of the Appellant Utilities and the Appellees, and pursuant to those agreements, the Appellant Utilities have agreed to dismiss the appeal.

NOW THEREFORE, the parties hereby stipulate, by and through undersigned counsel, that the appeal shall be dismissed, with each party to bear its own costs and attorney fees.

Date: February 6, 2009

1

/s/Kevin R. McCarthy

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/s/Douglas M. Foley

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IT IS SO ORDERED this 10<sup>th</sup> day of February, 2009.

/s/  
James R. Speneer  
Chief United States District Judge

Imaged Certificate of Service Page 3 of 3  
**CERTIFICATE OF NOTICE**

District/off: 0422-7  
Case: 08-35653

User: jafarbayj  
Form ID: pdforder

Page 1 of 1  
Total Served: 1

Date Rcvd: Feb 12, 2009

The following entities were served by first class mail on Feb 14, 2009.  
aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq., PO Box 636,  
Wilmington, DE 19899-0636

The following entities were served by electronic transmission.  
NONE.

TOTAL: 0

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NONE.

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USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 14, 2009

Signature:

